



**OPCW**

**Conference of the States Parties**

Twelfth Session  
5 – 9 November 2007

C-12/7  
9 November 2007  
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**REPORT OF THE TWELFTH SESSION  
OF THE CONFERENCE OF THE STATES PARTIES  
5 – 9 NOVEMBER 2007**

**1. AGENDA ITEM ONE – Opening of the Session**

- 1.1 The Twelfth Session of the Conference of the States Parties (hereinafter “the Conference”) was opened at 10:45 on 5 November 2007 by the Chairperson of the Eleventh Session of the Conference, Ambassador Alfonso Dastis of Spain. The Conference received a message from the Secretary-General of the United Nations (UN), delivered by his special representative, Mr Sergio Duarte, High Representative of the Secretary-General for Disarmament Affairs.
- 1.2 The following 116 States Parties participated in the Twelfth Session: Afghanistan, Albania, Algeria, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Eritrea, Estonia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Guatemala, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kenya, Kuwait, Lao People’s Democratic Republic, Latvia, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Malaysia, Malta, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, and Zambia.
- 1.3 In accordance with Rule 29 of the Rules of Procedure of the Conference of the States Parties, the following signatory States participated in this Session of the Conference as observers: Dominican Republic and Israel.
- 1.4 In accordance with Rule 30 of these Rules of Procedure, and pursuant to a decision of the Conference on the matter (C-12/DEC.1, dated 5 November 2007), the following non-signatory States were accorded observer status: Iraq and Lebanon.



- 1.5 In accordance with Rules 31 and 32 of these Rules of Procedure, and pursuant to a decision of the Conference on the matter (C-12/DEC.2, dated 5 November 2007), nine international organisations, specialised agencies, and other international bodies attended the Twelfth Session.
- 1.6 The Conference **approved** the participation of four non-governmental organisations in its Twelfth Session (C-12/DEC.3, dated 5 November 2007).

## **2. AGENDA ITEM TWO – Election of the Chairperson**

In accordance with Rules 34 and 35 of its Rules of Procedure, the Conference, by acclamation, **elected** as its Chairperson Ambassador Abuelgasim Abdelwahid Sheikh Idris of Sudan, who shall hold office until his successor is elected at the next regular Session of the Conference.

## **3. AGENDA ITEM THREE – Election of Vice-Chairpersons and other officers**

- 3.1 In accordance with Rules 34 and 35 of its Rules of Procedure, the Conference **elected** representatives of the following 10 States Parties as Vice-Chairpersons of the Conference, to hold office until their successors are elected at its next regular Session: Cameroon, China, Costa Rica, Croatia, Ecuador, France, Iran (Islamic Republic of), Nigeria, Russian Federation, United States of America.
- 3.2 Also, in accordance with Rules 34 and 35 of its Rules of Procedure, the Conference **elected** as Chairperson of the Committee of the Whole, Ambassador Werner Burkart of Germany, who shall hold office until a new Chairperson is elected at the next regular Session of the Conference.

## **4. AGENDA ITEM FOUR – Adoption of the agenda**

- 4.1 The provisional agenda for the Twelfth Session was circulated under cover of C-12/2, dated 28 June 2007.
- 4.2 The Conference **adopted** the following agenda for its Twelfth Session:

AGENDA ITEM ONE – Opening of the Session

AGENDA ITEM TWO – Election of the Chairperson

AGENDA ITEM THREE – Election of Vice-Chairpersons and other officers

AGENDA ITEM FOUR – Adoption of the agenda

AGENDA ITEM FIVE – Organisation of work and establishment of subsidiary bodies

AGENDA ITEM SIX – Appointment of the Credentials Committee

AGENDA ITEM SEVEN – Statement by the Director-General

AGENDA ITEM EIGHT – General debate

AGENDA ITEM NINE – Status of the implementation of the Convention

AGENDA ITEM TEN – Annual report of the OPCW on the implementation of the Convention in 2006

AGENDA ITEM ELEVEN – Annual report of the Executive Council on the performance of its activities for the period from 8 July 2006 to 29 June 2007

AGENDA ITEM TWELVE – Election of Member States to membership in the Executive Council

AGENDA ITEM THIRTEEN – Programme and Budget of the OPCW for 2008, submitted by the Executive Council, and all items pertaining to this budget

AGENDA ITEM FOURTEEN – Scale of assessments to be paid by States Parties

AGENDA ITEM FIFTEEN – External Auditor's report on the audited financial statements of the OPCW for 2006

AGENDA ITEM SIXTEEN – Administrative and financial matters

AGENDA ITEM SEVENTEEN – Fostering of international cooperation for peaceful purposes in the field of chemical activities

AGENDA ITEM EIGHTEEN – Ensuring the universality of the Convention

AGENDA ITEM NINETEEN – Establishment of an OPCW Office in Africa

AGENDA ITEM TWENTY – Reports of subsidiary bodies

AGENDA ITEM TWENTY-ONE – Any other business

AGENDA ITEM TWENTY-TWO – Dates and duration of the next regular sessions of the Conference of the States Parties

AGENDA ITEM TWENTY-THREE – Adoption of the report of the Conference of the States Parties

AGENDA ITEM TWENTY-FOUR – Closure

**5. AGENDA ITEM FIVE – Organisation of work and establishment of subsidiary bodies**

The Conference **considered** and **adopted** the recommendations of the General Committee that were reported to it in accordance with Rule 43(b) of the Rules of Procedure of the Conference.

**6. AGENDA ITEM SIX – Appointment of the Credentials Committee**

In accordance with Rule 27 of its Rules of Procedure, the Conference, on the recommendation of its Chairperson, **appointed** the following 10 members of the Credentials Committee to hold office until new members are appointed at the next regular Session of the Conference: Austria, Bulgaria, Cuba, Czech Republic, Finland, Guatemala, Morocco, Namibia, Sri Lanka, and Thailand.

**7. AGENDA ITEM SEVEN – Statement by the Director-General**

The Conference **noted** the opening statement by the Director-General (C-12/DG.11, dated 5 November 2007).

**8. AGENDA ITEM EIGHT – General debate**

The following delegations made statements during the general debate: Portugal (on behalf of the European Union and associated countries), Cuba (on behalf of the Non-Aligned Movement and China), South Africa (on behalf of the African Group), the United States of America, Turkey, Australia, the Russian Federation, Malaysia, Singapore, Japan, Canada, China, Montenegro, the Islamic Republic of Iran, Saudi Arabia, Norway, Mexico, Poland, Guatemala, Namibia, Kuwait, Bosnia and Herzegovina, Switzerland, New Zealand, Serbia, South Africa (in its national capacity), Ukraine, Indonesia, Viet Nam, Algeria, Argentina, Pakistan, Brazil, the Libyan Arab Jamahiriya, Nigeria, Thailand, Mongolia, Burkina Faso, Venezuela, Bangladesh, Costa Rica, the Republic of Korea, India, the United Arab Emirates, Albania, Tunisia, and Sri Lanka.

**9. AGENDA ITEM NINE – Status of the implementation of the Convention**

**Subitem 9(a): Progress report on the implementation of the plan of action regarding the implementation of Article VII obligations**

- 9.1 The Conference at its Eleventh Session adopted a decision on sustaining follow-up to the plan of action regarding the implementation of Article VII obligations (C-11/DEC.4, dated 6 December 2006), in which it requested the Technical Secretariat (hereinafter “the Secretariat”), *inter alia*, to provide to the Executive Council (hereinafter “the Council”) at its Fiftieth Session a comprehensive progress report on the status of implementation of Article VII of the Convention and of the decision on follow-up to the Article VII plan of action (C-10/DEC.16, dated 11 November 2005). In its decision, the Conference also requested the Council to submit the progress report to it at its Twelfth Session, along with its recommendations, as appropriate.
- 9.2 The Conference **noted** a report on the status of implementation of Article VII as at 22 August 2007 (C-12/DG.6, dated 9 October 2007), and **considered and approved** a decision on the matter (C-12/DEC.9, dated 9 November 2007).

**Subitem 9(b): Implementation of the regime governing the handling of confidential information by the Technical Secretariat in 2006**

- 9.3 The Conference **considered** and **noted** the report by the Director-General on the implementation of the regime governing the handling of confidential information by the Secretariat in 2006 (EC-48/DG.5\* C-12/DG.5, dated 14 February 2007).

**Subitem 9(c): Progress made in meeting revised deadlines for the destruction of chemical weapons**

- 9.4 Pursuant to a decision by the Conference at its Eleventh Session (paragraph 9.12(b) of C-11/5, dated 8 December 2006), the Conference **considered** and **noted** a status report by the Director-General on the progress made by those States Parties that have been granted extensions of deadlines for the destruction of their Category 1 chemical weapons (C-12/DG.10, dated 29 October 2007).

**10. AGENDA ITEM TEN – Annual report of the OPCW on the implementation of the Convention in 2006**

The Conference **considered** and **approved** the report of the OPCW on the implementation of the Convention in 2006 (C-12/6, dated 6 November 2007).

**11. AGENDA ITEM ELEVEN – Annual report of the Executive Council on the performance of its activities for the period from 8 July 2006 to 29 June 2007**

The Conference **noted** the report of the Council on the performance of its activities in the period from 8 July 2006 to 29 June 2007 (EC-50/3 C-12/3, dated 26 September 2007). The report was introduced by the Chairperson of the Council, Ambassador Romeo A. Arguelles of the Philippines, who also briefed the Conference on the developments that had taken place since the cut-off date for the report.

**12. AGENDA ITEM TWELVE – Election of Member States to membership in the Executive Council**

In accordance with Article VIII, paragraph 23, of the Convention, and with Rule 83 of its Rules of Procedure, the Conference **elected** 20 members for the following elective places on the Council for a term of two years, starting on 12 May 2008:

Africa:	Algeria, Libyan Arab Jamahiriya, Nigeria, South Africa
Asia:	Iran (Islamic Republic of), Kuwait, Pakistan, Sri Lanka
Eastern Europe:	Russian Federation, Slovakia, The former Yugoslav Republic of Macedonia
Latin America and the Caribbean:	Chile, Costa Rica, Cuba, Peru
Western Europe and Other States:	Australia, Austria, Netherlands, Spain, Sweden

**13. AGENDA ITEM THIRTEEN – Programme and Budget of the OPCW for 2008, submitted by the Executive Council, and all items pertaining to this budget**

**Subitem 13(a): Programme and Budget of the OPCW**

- 13.1 In accordance with Article VIII, subparagraph 21(a), of the Convention, and pursuant to Financial Regulation 3.6(a), the Conference **considered** and **adopted** the OPCW Programme and Budget for 2008, which the Council had submitted to it (C-12/DEC.4, dated 7 November 2007).

**Subitem 13(b): Medium-Term Plan for 2008 to 2010**

- 13.2 The Conference **noted** the Medium-Term Plan for the period from 2008 to 2010 (EC-49/S/6 C-12/S/1, dated 25 June 2007).

**14. AGENDA ITEM FOURTEEN – Scale of assessments to be paid by States Parties**

- 14.1 In accordance with Article VIII, paragraph 21(b), of the Convention, the Conference **adopted** the scale of assessments to be paid by States Parties for the financial year 2008 (C-12/DEC.5, dated 7 November 2007).

- 14.2 The Conference **considered** and **approved** a decision on the adjustment to the scale of assessment for Argentina for 2003 (C-12/DEC.6, dated 7 November 2007).

**15. AGENDA ITEM FIFTEEN – External Auditor’s report on the audited financial statements of the OPCW for 2006**

- 15.1 In accordance with Regulation 13.10 of the OPCW Financial Regulations, the Council at its Fiftieth Session forwarded to the Conference the report of the External Auditor on the financial statements of the OPCW for the year ending 31 December 2006, and of the OPCW Provident Fund for the same period (EC-49/DG.10 C-12/DG.2, dated 1 June 2007). The Conference **noted** this report.

- 15.2 The Conference **noted** the Note by the Director-General on the new External Auditor of the OPCW (C-12/DG.9, dated 26 October 2007).

**16. AGENDA ITEM SIXTEEN – Administrative and financial matters**

**Subitem 16(a): OPCW income and expenditure for the financial year to 30 June 2007; and the use of the Working Capital Fund for the financial year to 30 September 2007**

- 16.1 The Council at its Fiftieth Session considered and forwarded to the Conference a report by the Director-General on OPCW income and expenditure for the financial year to 30 June 2007 (C-12/DG.8, dated 17 October 2007, and Corr.1, dated 1 November 2007). The Conference **noted** this report.

- 16.2 Further to a decision by the Conference at its Eleventh Session (paragraph 13 of C-11/DEC.11, dated 8 December 2006), the Conference **noted** a Note by the Director-General on the use of the Working Capital Fund for the financial year to 30 September 2007 (C-12/DG.7, dated 11 October 2007).

**Subitem 16(b): Status of implementation by States Parties of agreed multi-year payment plans to regularise the payment of their outstanding annual contributions and multi-year payment plans proposed for approval by the Conference**

- 16.3 Pursuant to a decision by the Conference at its Eleventh Session (C-11/DEC.5, dated 7 December 2006), the Conference **considered** and **approved** the proposals of the Republic of Moldova and of Guatemala for a multi-year payment plan to regularise the payment of outstanding annual contributions (C-12/DEC.7, dated 7 November 2007).
- 16.4 Further to the same decision, the Conference **considered** and **noted** the Note by the Director-General on the status of implementation by States Parties of agreed multi-year payment plans (EC-50/DG.13 C-12/DG.3, dated 11 September 2007).

**Subitem 16(c): Report of the Office of Internal Oversight for 2006**

- 16.5 In accordance with Regulation 12.5 of the OPCW Financial Regulations, the Council at its Fiftieth Session considered and forwarded to the Conference the annual report of the Office of Internal Oversight for the period from 1 January to 31 December 2006, and the accompanying Note by the Director-General (EC-49/DG.6, dated 4 May 2007). The Conference **noted** this report.

**Subitem 16(d): Proposed alignment of OPCW Staff Regulation 3.2(a) with the corresponding United Nations Staff Regulation**

- 16.6 Based on a recommendation of the Council at its Fiftieth Session regarding the alignment of OPCW Staff Regulation 3.2(a) with the corresponding UN Staff Regulation (EC-50/DEC.3, dated 26 September 2007), the Conference **considered** and **approved** the amendment to OPCW Staff Regulation 3.2(a) (C-12/DEC.8, dated 7 November 2007).

**Subitem 16(e): Transfers of funds between programmes in 2006**

- 16.7 In accordance with Regulation 4.5 of the OPCW Financial Regulations, all transfers between budget programmes shall be reported to the Conference. The Conference **noted** the Note by the Director-General on this matter (EC-48/DG.7 C-12/DG.1, dated 16 February 2007).

**17. AGENDA ITEM SEVENTEEN – Fostering of international cooperation for peaceful purposes in the field of chemical activities**

- 17.1 At its Tenth Session the Conference adopted a decision on the full implementation of Article XI (C-10/DEC.14, dated 11 November 2005) in which, *inter alia*, it requested the Council to keep the issue under consideration and to report on the full implementation of that Article to the Conference at each regular annual session. At its Eleventh Session the Conference recommended that the Council enhance its deliberations on this agenda item and, as a matter of priority, appoint a facilitator to start informal consultations to explore all options and submit concrete measures for

the full implementation of Article XI, and that it present a report to the Conference at its Twelfth Session (paragraph 17.2 of C-11/5).

- 17.2 The Conference **considered** and **approved** a decision on the matter (C-12/DEC.10, dated 9 November 2007).
- 17.3 The Conference received a request by Cuba on behalf of a number of States Parties to the Convention that are also Members of the Non-Aligned Movement, and China, to circulate a working paper entitled “Indicative elements of a Plan of Action on the full implementation of Article XI” (C-12/5, dated 9 November 2007).

**18. AGENDA ITEM EIGHTEEN – Ensuring the universality of the Convention**

- 18.1 The Conference **noted** the annual report by the Director-General on the implementation of the action plan for the universality of the Convention from 30 September 2006 to 31 August 2007 (EC-50/DG.14 C-12/DG.4, dated 14 September 2007).
- 18.2 The Conference **considered** and **approved** a decision on the matter (C-12/DEC.11, dated 9 November 2007).

**19. AGENDA ITEM NINETEEN – Establishment of an OPCW Office in Africa**

- 19.1 In accordance with a recommendation of the Council at its Twenty-Sixth Meeting, the Conference at its Eleventh Session adopted a decision on the establishment of an OPCW Office in Africa (C-11/DEC.10, dated 8 December 2006), in which it extended to its Twelfth Session the provisions of C-10/DEC.13, dated 10 November 2005, and requested the Secretariat to continue its efforts to assist the Council in the implementation of this decision.
- 19.2 The Conference **noted** the need for the appointment of a new facilitator and for the resumption of the activities of the Open-Ended Working Group on the Establishment of an OPCW Office in Africa.

**20. AGENDA ITEM TWENTY – Reports of subsidiary bodies**

**Committee of the Whole**

- 20.1 The Conference **noted** that, during this Session of the Conference, no items had been allocated to the Committee of the Whole.

**General Committee**

- 20.2 The Conference **noted** the reports of the General Committee, and took appropriate action as required.



### **Confidentiality Commission**

- 20.3 The Conference **noted** the report of the Ninth Meeting of the Commission for the Settlement of Disputes Related to Confidentiality (hereinafter “the Confidentiality Commission”) (CC-9/2, dated 1 June 2007).
- 20.4 The Chairperson of the Conference informed the Conference that, following consultations with the Latin American and Caribbean Group pursuant to Rule 4 of the Operating Procedures of the Confidentiality Commission (C-III/DEC.10, dated 27 November 1998, and Corr.1, dated 20 November 1998), he had appointed Mr Jesus M. Cuevillas Domínguez to replace Mr Bennisy Cruz Sánchez for the remainder of the latter’s term of office.

### **Credentials Committee**

- 20.5 The report of the Credentials Committee (C-12/4\*, dated 8 November 2007) was presented by its Chairperson, Ambassador Carla María Rodríguez Mancia of Guatemala. The Chairperson reported orally that, following the close of the Credentials Committee meeting, original credentials were received for the representatives of Colombia, Iran (Islamic Republic of), Malta, Slovenia, Tunisia, and Uzbekistan, and an official communication was received regarding the representation of Cameroon, Kenya, Nicaragua, Togo, Uganda, and Venezuela. Formal credentials will be submitted for the latter in due course. The Conference **noted** this additional information and **approved** the report.

## **21. AGENDA ITEM TWENTY-ONE – Any other business**

### **Report by the Committee on Relations with the Host Country**

- 21.1 Pursuant to a decision of the Conference at its Eleventh Session (C-11/DEC.9, dated 7 December 2006), the Conference **considered** and **noted** a report by the Committee on Relations with the Host Country on the performance of its activities since its establishment (C-12/HCC.1, dated 11 October 2007).

### **Report by the Chairperson of the Working Group for the Preparation of the Second Review Conference**

- 21.2 The Chairperson of the Working Group for the Preparation of the Second Review Conference, Ambassador Lyn Parker of the United Kingdom of Great Britain and Northern Ireland, reported to the Conference on the activities of the Working Group.

### **OPCW Tenth Anniversary**

- 21.3 The Conference **recognised** that the tenth anniversary of the entry into force of the Convention provided a special occasion to remember all victims of chemical weapons and to reaffirm broad commitment to multilateralism and to the object and purpose of the Convention.
- 21.4 The Conference **welcomed** the High-Level Meeting devoted to the tenth anniversary of the entry into force of the Convention organised by Poland and the Netherlands at

United Nations Headquarters on 27 September 2007 during the UN General Assembly Session.

- 21.5 The Conference **took note** of the tenth-anniversary activities that had taken place, including the OPCW Academic Forum and the Industry and Protection Forum, and encouraged participation on the broadest possible geographical basis of all stakeholders in such events in the future.

### **Implementation of Article X**

- 21.6 The Conference **condemned** all use of chemical weapons, including the use of toxic industrial chemicals as chemical weapons.
- 21.7 Consequently, the Conference stressed the importance of achieving and maintaining a high level of readiness of the Secretariat of the OPCW, as well as of its States Parties, with respect to provision of timely and needed assistance and protection against the use or threat of use of chemical weapons within the context of Article X of the Convention.
- 21.8 The Conference **requested** the Council to conduct intensive deliberations to develop measures for emergency assistance to Member States, including with regard to the victims of chemical weapons, as provided in Article X of the Convention, and to report to the Conference at its Thirteenth Session, along with any appropriate recommendations.
- 21.9 The Conference **requested** the Council to continue this work.

### **22. AGENDA ITEM TWENTY-TWO – Dates and duration of the next regular sessions of the Conference of the States Parties**

- 22.1 At its Eleventh Session the Conference decided to hold its Thirteenth Session from 2 to 5 December 2008 (paragraph 22.3 of C-11/5).
- 22.2 At its Seventh Session the Conference decided to hold its Fourteenth Session from 2 to 6 November 2009, and its Fifteenth, from 1 to 5 November 2010 (paragraph 19.2 of C-7/5, dated 11 October 2002). The Conference considered possible dates for the future sessions of the Conference and **decided** to hold its future regular sessions on the following dates: the Fourteenth Session from 30 November to 4 December 2009, the Fifteenth from 29 November to 3 December 2010, the Sixteenth from 28 November to 2 December 2011, and the Seventeenth from 26 to 30 November 2012. The Conference further **authorised** the Director-General to conclude appropriate agreements with the World Forum Convention Center (WFCC), thus ensuring the availability of conference facilities on these dates, while maintaining the flexibility to make necessary adjustments if so required.

### **23. AGENDA ITEM TWENTY-THREE – Adoption of the report of the Conference of the States Parties**

The Conference **considered** and **adopted** the report of its Twelfth Session.

**24. AGENDA ITEM TWENTY-FOUR – Closure**

The Chairperson closed the Twelfth Session of the Conference at 21:21 on 9 November 2007.

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